

AMENDED IN ASSEMBLY APRIL 18, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 897**

**Introduced by Assembly Member Coto**

**(Coauthors: Assembly Members Chan, DeVore, Dymally, Koretz,  
Pavley, and Torrico)**

**(Coauthors: Senators Alquist and Cedillo)**

February 18, 2005

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An act to add ~~Section 56353~~ *Sections 56351.8 and 56351.9* to the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 897, as amended, Coto. ~~Braille mathematics standards.~~

~~Existing law requires pupils to pass a high school exit examination and to pass a course that has algebra content as a prerequisite to graduating from high school.~~

Existing law requires school districts, special education local plan areas, or county offices of education to provide opportunities for ~~Braille~~ *braille* instruction for pupils who, due to a prognosis of visual deterioration, may be expected to have a need for ~~Braille~~ *braille* as a reading medium.

~~This bill would also require these entities to provide opportunities for those pupils to learn the Nemeth code, also known as the Braille math code, in order to learn the mathematics necessary to pass the high school exit examination and the course with algebra that is required for graduation from high school.~~

~~In addition, the bill would require the State Board of Education to ensure that pupils with visual impairments, described above, are given the same opportunities to learn mathematics as pupils who are not visually impaired.~~

*This bill would require the Superintendent of Public Instruction to form a voluntary advisory task force, composed as specified, to develop standards for pupils to learn, and to achieve mastery of, the braille mathematics code as they progress from kindergarten and grades 1 to 12, inclusive. The bill would require that these standards be developed for pupils who, due to a visual impairment, are functionally blind or may be expected to have a need to learn the braille code as their primary literacy mode for learning. The bill would require that members serve at no cost to the state, and that the task force report to the state board by \_\_\_\_\_.*

*The bill would also require the state board to adopt, by June 1, 2006, braille reading and mathematics standards for pupils who, due to a visual impairment, are functionally blind or may be expected to have a need to learn the braille code as their primary literacy mode for learning.*

*The bill would also require county offices of education, school districts, and special education local plan areas to provide opportunities for instruction for these pupils to master the braille reading and mathematics standards.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     ~~SECTION 1. (a) The Legislature finds and declares all of the~~
- 2     ~~SECTION 1. The Legislature finds and declares both of the~~
- 3     ~~following:~~
- 4     ~~(a) The federal No Child Left Behind Act of 2001 is based on~~
- 5     ~~the idea that literacy is the foundation for learning for all pupils.~~
- 6     ~~(b) Functionally blind pupils in California are at a~~
- 7     ~~disadvantage in mathematics performance due to the lack of~~
- 8     ~~braille mathematics standards in the state~~
- 9     ~~SEC. 2. Section 56351.8 is added to the Education Code, to~~
- 10    ~~read:~~
- 11    ~~56351.8. (a) The Superintendent shall form a voluntary~~
- 12    ~~advisory task force to develop standards for pupils described in~~
- 13    ~~subdivision (b) to learn, and to achieve mastery of, the braille~~
- 14    ~~mathematics code as they progress through kindergarten and~~
- 15    ~~grades 1 to 12, inclusive.~~

1     (b) The standards described in subdivision (a) shall be  
2     developed for pupils who, due to a visual impairment, are  
3     functionally blind or may be expected to have a need to learn the  
4     braille code as their primary literacy mode for learning.

5     (c) The task force shall include, but not be limited to,  
6     members approved by the state board, representing all of the  
7     following groups, who shall serve at no cost to the state:

8         (1) Parents of visually impaired pupils.

9         (2) Teachers of visually impaired pupils.

10        (3) Researchers in the field of visual impairment.

11        (4) Braille experts.

12        (5) Groups that advocate for teaching of, and use of, braille.

13        (6) Groups that advocate for the visually impaired.

14     (d) By \_\_\_\_\_, the task force shall report to the state  
15     board with the standards it develops pursuant to subdivision (a).

16     SEC. 3. Section 56351.9 is added to the Education Code, to  
17     read:

18        56351.9. (a) By June 1, 2006, the state board shall adopt  
19        braille reading and mathematics standards for pupils who, due to  
20        a visual impairment, are functionally blind or may be expected to  
21        have a need to learn the braille code as their primary literacy  
22        mode for learning.

23        (b) County offices of education, school districts, and special  
24        education local plan areas shall provide to pupils described in  
25        subdivision (a) opportunities for instruction to master the braille  
26        reading and mathematics standards described in subdivision  
27        (a) following:

28            ~~(1) In 2002, President Bush signed the No Child Left Behind~~  
29            ~~Act of 2001, which promised sweeping changes in public~~  
30            ~~education for all pupils.~~

31            ~~(2) The act is based on the idea that literacy is the foundation~~  
32            ~~for all other learning, and the act includes an assessment of~~  
33            ~~children with disabilities in order to measure their progress with~~  
34            ~~required reading and mathematics skills.~~

35            ~~(3) Blind children in California have suffered in the public~~  
36            ~~schools as a result of a persistent shortage of teachers qualified to~~  
37            ~~teach reading, writing, and mathematics.~~

38            ~~(4) Beginning in 2005, high school pupils will be required to~~  
39            ~~pass an exit examination in order to graduate from high school~~  
40            ~~and receive a diploma. In order to pass this exit examination,~~

~~pupils must have comprehension and understanding of algebra skills, among other things. In addition, beginning in 2006, pupils may not graduate from high school or receive a diploma, unless they have completed a course with algebra content. Pupils who are blind are subject to these requirements.~~

~~(5) The National Federation of the Blind of California (NFBC) sponsored legislation in 2002 that mandated the teaching of Braille, which is the code used by the blind for reading and writing, to children in public schools. To further ensure that blind children learn proper reading and writing skills, the Legislature enacted a law in 2003 that created Braille reading standards that closely parallel the standards applied to sighted pupils learning to read and write in print.~~

~~(6) The NFBC recognizes that every functionally blind pupil must be successfully taught the Nemeth code in order to meet the graduation requirements relating to mathematics. In order for pupils to learn this code, the state must develop standards for the instruction of this code. Sighted pupils have standards for learning mathematics, and standards must be developed for blind pupils as well.~~

~~(7) Over the decades, the large majority of blind pupils graduated from the California public schools are illiterate, and these people go on to lifetimes of unemployment, never reaching their potential or being prepared to contribute to society in meaningful ways.~~

~~(8) It is discriminatory of blind pupils to fail to provide for them the basic education to which they are entitled, and that they need, in order to graduate from high school and succeed as adults.~~

~~(b) It is the intent of the Legislature to pass legislation that would require that blind pupils be taught the Nemeth code in order to learn the mathematics necessary to pass the high school exit examination and the algebra requirement for graduation, and that would also require the State Board of Education to ensure that mathematics standards that apply to sighted pupils also apply to pupils who are blind.~~

~~SEC. 2. Section 56353 is added to the Education Code, to read:~~

~~56353. (a) Districts, special education local plan areas, or county offices shall provide opportunities for Nemeth code~~

1 ~~instruction, also known as the Braille math code, for pupils who,~~  
2 ~~due to a visual impairment, may be expected to have a need to~~  
3 ~~learn the Nemeth code in order to learn the mathematics~~  
4 ~~necessary to pass the high school exit examination and the course~~  
5 ~~with algebra that is required for graduation from high school.~~

6 ~~(b) The State Board of Education shall ensure that pupils~~  
7 ~~described in subdivision (a) are given the same opportunities to~~  
8 ~~learn mathematics as pupils who are not visually impaired.~~

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